



WORKMAN | NYDEGGER
INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER, 60 EAST SOUTH TEMPLE | SALT LAKE CITY, UTAH 84111

TEL: (801) 533-9800 | FAX: (801) 328-1707 | WWW.WNLAW.COM

ELECTRONICALLY FILED

PATENT APPLICATION

Docket No. 13768.36.25.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
	Joseph Paul-Emile Pierre Cote, et al.)
Serial No.:	09/855,445) Art Unit
Filed:	May 15, 2001) 2453
Conf. No.:	1736)
For:	SYSTEM AND METHOD FOR MONITORING)
	SERVER PERFORMANCE USING A SERVER)
Examiner:	Aaron N. Strange)
Customer No.:	47973)

**TRANSMITTAL FOR AMENDMENT "E" AND RESPONSE AFTER NON-FINAL WITH
TERMINAL DISCLAIMER AND TWO MONTHS EXTENSION OF TIME**

ELECTRONICALLY FILED

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment "E" and Response for entry in the above-identified application.

X To render the transmitted Amendment "E" and Response timely filed, enclosed are the following:

X Petition for Two (2) Month Extension of Time under 37 C.F.R. § 1.17. (\$490.00)

X Terminal Disclaimer (\$140.00)

X No additional fee is required.

The additional claim fee has been calculated as follows:

CLAIMS REMAINING AFTER	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY		LARGE ENTITY	
			RATE	ADDT'L FEE	RATE	ADDT'L FEE
TOTAL 35	MINUS 37	=	X	\$0.00	X	\$0.00
INDEPENDENT 5	MINUS 5	=	X	\$0.00	X	\$0.00
1 st PRESENTATION OF MULTIPLE DEPENDENT CLAIM			+ _____ =		+ _____ =	
			TOTAL	\$0.00	TOTAL	\$0.00

X Payment in the amount of \$630.00 using the Credit Card payment option in E-Filer with RAM will be used to cover the payment of the fees with respect to the Request for Terminal Disclaimer and Two (2) Months Extension of Time.

X The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 C.F.R. § 1.16; (2) any patent application and reexamination processing fees under 37 C.F.R. § 1.17; (3) any fees for filing a terminal disclaimer under 37 C.F.R. §§ 1.321(c) and 1.20(d); and/or (4) any post issuance fees under 37 C.F.R. § 1.20. If any extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 19th day of May, 2009.

Respectfully submitted,



COLBY C. NUTTALL
Registration No. 58,146
RICK D. NYDEGGER
Registration No. 28,651
Attorneys for Applicant
Customer No. 047973